IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	4:11CR3032
Plaintiff,	)	
	)	
vs.	)	
	)	**ORDER**
IVAN BRIAN BROOKS,	)	
	)	
Defendant.	)	

IT IS ORDERED that:

(1) The government's request for hearing is granted.

(2) The hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filings 143 and 145) has been scheduled before the undersigned United States district judge on Tuesday, October 16, 2012, at 1:00 p.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

(3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone.

(4) **Defense counsel shall make the telephone arrangements with the Bureau of Prisons. Defense counsel shall then provide the undersigned's chambers with the contact information (including name and telephone number) of the Bureau of Prison's official the courtroom deputy should call the day and time of the hearing.**

(5) The Marshal is directed not to return the defendant to the district.

(6) The defendant is held to have waived his right to be present.

(7) Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw.

(8) The Federal Public Defender shall provide CJA counsel with a new voucher.

(9) The Clerk of the Court shall provide a copy of this order to counsel for the government and counsel for the defendant. The undersigned's judicial assistant will provide a copy to the Federal Public Defender.

Dated October 1, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge